1	2	3	4	5
Severance Amount		A lump sum severance amount of Rs,30,000/- is paid on discharge provided a GDS has completed 20 years of continuous service. In case of a GDS completing 15 years of service but less than 20 years of continuous service the severance amount paid is Rs. 20,000		Severance Amount shall be paid at the rate of Rs. 1500 for every completed year of service subject to a Maximum of Rs. 60000 with reduction in Minimum eligibility period to 10 years.

4. **Maternity Grant [effective from 09.10.2009]**

Women GDS will be provided Maternity Grant equivalent to three months TRCA with DA for the birth of two children out of the welfare fund of the Department. This will take effect from the date of issue of the order

5. **Productivity Linked Bonus (PLB)**

Present calculation of the Ex-gratia bonus by applying the calculation ceiling of Rs. 2500 as basic TRCA+DA shall continue to be adopted till such time a new scheme is devised by the Department.

Payment of Arrears

Arrears of TRCA w.e.f. 1.1.2006 to 31-10-2009 have been ordered to be paid in cash in two instalments of 40% and 60% spread over the financial year 2009-10 and 2010-11 after adjusting the payments made toward the basic monthly TRCA + DA drawn from time to time. The 2nd instalment of 60% arrears will be payble only after issue of specific instructions in this regard.

Allotment of 2G telecom spectrum licences

1530. DR. JANARDHAN WAGHMARE: Will the Minister of COMMUNI-CATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether the Central Vigilance Commission (CVC) has referred the matter regarding allotment of second generation telecom spectrum licences to the CBI;

(b) if so, whether CVC have found several irregularities in the allotment of telecom spectrum;

(c) if so, the facts thereof; and

(d) by when further investigations in the allotment of telecom spectrum are likely to be completed and transparency be maintained?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI GURUDAS KAMAT): (a) Sir, the Central Vigilance Commission (CVC) has referred the matter regarding allotment of second generation telecom spectrum licences to the Central Bureau of Investigation (CBI) on 12.10.2009.

(b) CVC has conveyed that the Preliminary investigation by it has shown following irregularities:

(i) Entry fee for Unified Access Services License (UASL) issued to new entrants during 2007 was the same as decided during the year 2001 on the basis of a bidding process.

(ii) There is no mention of 'First-Come-First-Served'(FCFS) Policy in the guidelines issued by Department of Telecommunications for issuance of UASL and website of the Department also does not contain any information about this policy.

(iii) FCFS Policy has not been followed by the Department.

(iv) There was no-lock-in period for the licensees for off-loading of their stakes, which enabled the licensees to offload their stakes at an early stage.

(c) and (d) The UAS licences have been awarded with all transparency as per the extant UAS licence guidelines dated 14.12.2005. However, on allegation of irregularities in the award of UAS Licenses to private companies, CBI has registered a case on 21.10.2009 against unknown officials of DOT, unknown private persons/companies and others under section 120-B IPC & section 13 (2) r/w 13(I)(d) of Prevention of Corruption Act, 1988. While being an investigation matter no time frame can be fixed, the reactions of Government on Preliminary investigation by CVC are as follows:

(i) Based on the recommendations of Telecom Regulatory Authority of India (TRAI) and the decision of then Government, the Unified Access Services (UAS) licences are being granted continuously on First-Come-First-Served'(FCFS) basis since introduction of UAS licensing regime in November 2003 at the entry fee for the 4th Cellular Mobile Telephone Service (CMTS) licence(s) awarded in 2001 & in service areas where there were no 4th operator, the entry fee of existing Basic Service Operator (BSO) fixed by the Government in 2001 based on TRAI's recommendation. Based on this policy, 51 new UAS licenses/LoI(Letter of Intent) had been issued till March 2007. TRAI in its recommendations dated 28.08.2007 has not recommended any change in the entry fee for UAS licence. Accordingly, Government continued with the existing entry fee structure for UAS licences and 122 new UAS licences were issued in 2008. The fact that TRAI had not recommended any change in the entry fee for UAS licence, is also evident from TRAI's letter dated 26th May 2008 to Department of Telecom (DOT) conveying that keeping in view the objective of growth, affordability,

penetration of wireless services in semi-urban and rural areas and principle of level playing field and opportunity for equal competition between the incumbents and new entrants, the TRAI recommended the same entry fee as was taken from the fourth cellular operator for grant of CMTS license in the year 2001.

(ii) In consonance with New Telecom Policy (NTP) 1999 & TRAI recommendations, the Guidelines for Unified Access Services (UAS) licences issued on 14.12.2005 are the extant guidelines for grant of new UAS licence. All UAS licences issued in year 2008 are governed by these detailed guidelines. These guidelines, inter-alia stipulate that 'Licences shall be issued without any restriction on the number of entrants for provision of Unified Access Services in a Service Area.' When entry conditions are fixed and licensing is being done without any restriction of number of licences, there can not be any other transparent method other than the method of First-Come-First-Served basis. The Parliament was also informed of this policy from time to time in reply to questions raised therein.

(iii) DOT (Department of Telecom) has been implementing a policy of First-Come-First Served for grant of UAS licences under which initially an application which is received first will be processed first and thereafter if found eligible will be granted LOI and then whosoever complies with the conditions of LOI first will be granted UAS licence. This stand of DoT regarding the award of UAS Licenses on first come first served basis was clarified by Press release dated 10.01.2008 and accordingly, the UAS licences were granted in year 2008.

(iv) As per the UAS licence guidelines dated 14.12.2005 and the provisions of the UAS licence agreement, there were no lock-in-period/ restriction on sale of equity/ issuance of additional equity shares by the licensee company. Such transactions including the ceiling limit of Foreign Direct Investment (FDI) were subject to extant guidelines of the Government/Statutory Bodies. There were news articles regarding sale of equity by two new telecom licensee companies. However, these companies informed DOT that their shareholder/ promoters have not sold the equity and the investments have been brought in by their foreign partners by subscribing to additional equity which would be used for rolling out the services. Government, in consultation with the Telecom Regulatory Authority of India (TRAI), decided that there shall be a Lock-in-period for sale of equity of a person whose share capital is 10% or more in the UAS licensee company on the effective date of the UAS licence till completion of three years from the effective date of the licence or till fulfillment of all the rollout obligations, whichever is earlier, subject to certain other conditions. In this regard, necessary amendment of the UAS licence agreement(s) has been issued on 23.07.2009.

The above issues alongwith certain other issues are presently before the Hon'ble High Court of Delhi in writ petition No. 7815/2008 in the matter of Dr. Arvind Gupta *Vs* UOI & others and the matter is *sub-judice.*